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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/998,881	10/31/2001	Shell S. Simpson	10008211-1	7278

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EXAMINER

HUNTSINGER, PETER K

ART UNIT	PAPER NUMBER
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2624

DATE MAILED: 02/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/998,881	SIMPSON ET AL.	
	Examiner	Art Unit	
	Peter K. Huntsinger	2624	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 30 November 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 7-10, 12-16, 18 and 19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 7-10, 12-16, 18, and 19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

DOUGLAS Q. TRAN
PRIMARY EXAMINER

D. Q. Tran

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1-5, 7-10, 12-16, 18, and 19 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

2. Claims 1, 7, and 13 are objected to because of the following informalities:
"receiving from the browser a print option to print and collated" should be replaced with "receiving from the browser a print option to print and collate". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-4, 7-10, 13-16, 18, and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et al. Patent 6,453,127 and Kuroi Patent 6,496,279.

Referring to claims 1, 7, and 13, Woods et al. disclose in a web based imaging environment, a method of implementing collated printing depending on the collating capabilities of a printer represented by a destination service (computer 30 of Fig. 1, col. 2, lines 46-65), said method comprising the steps of: downloading content from said

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destination service into a user's browser (col. 4, lines 53-57), the content to be executed by the browser to enable the user to select production options that include an option to print and collate more than one copy (col. 2-3, lines 65-67, 1-8); at the destination service, receiving from the browser a print option to print and collate more than one copy (col. 3, lines 20-31); and from the destination service, retrieving said user's image data (col. 6, lines 41-50). Woods et al. do not disclose expressly automatically determining the collating capabilities of the printer. Kuroi discloses automatically determining the collating capabilities of a printer (S506 of Fig. 6, col. 7, lines 33-39); if said printer supports internal collating, then implementing a processing of said user's retrieved image data using said printer in accordance with selected production options (S508 of Fig. 6, col. 7, lines 40-45); otherwise if said printer does not support internal collating, then printing a copy of said user's retrieved image data using said printer, then automatically retrieving and printing another copy using said printer, and iteratively retrieving and printing successive copies of said user's image data (S507 of Fig. 6, col. 7, lines 33-39). Woods et al. and Kuroi are combinable because they are from the same field of printing systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to allow the computer 30 of Woods et al. to automatically determine if a printer's memory is able to collate multiple copies, and if not, to send data automatically as the document is printed. The motivation for doing so would have been to allow collating multiple copies of a document when the printer's memory is smaller than the size of the document. Therefore it would have been

obvious to combine Kuroi with Woods et al. to obtain the invention as specified in claims 1, 7, and 13.

Referring to claims 2, 8, and 14, Woods et al. disclose displaying status dynamically during processing of said user's image data, said status display including an indication of the current copy being processed (Fig. 4, col. 6, lines 55-58).

Referring to claims 3, 9, and 15, Woods et al. disclose wherein said destination service represents a plurality of printers (printers 15', 15" of Fig. 1, col. 4, lines 19-20).

Referring to claims 4, 10, and 16, Woods et al. disclose a plurality of printers but do not disclose expressly said plurality of printers comprising at least two said printers having differing collating capabilities. Official Notice is taken that it would be well known and obvious in the art to have a printer that is not capable of collating a plurality of copies. It would have been obvious at the time the invention was made to utilize a plurality of printers including one printer capable of collating, and one printer unable to collate. The motivation for doing so would have been to take advantage of the different functions of each printer, such as high resolution color printer and a low resolution black and white printer. Further, the printers of Woods et al. are ordinary copiers/ printers and a non-collating printer is simply one of a generic type of printer.

Referring to claim 18, Woods et al. disclose a means of web based imaging, said means being interconnected with said user's browser and said destination service (network 12 of Fig. 1, col. 2, lines 50-56).

Referring to claim 19, Woods et al. disclose wherein said destination service is remote from said user's browser (col. 1, lines 51-55).

5. Claims 5 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Woods et al. Patent 6,453,127 and Kuroi Patent 6,496,279 as applied to claims 1 and 7 above, and further in view of Ogawa et al. Patent 6,115,739.

Referring to claims 5 and 12, Woods et al. disclose copies of said user's image data are retrieved from said user's identity (col. 6-7, lines 66-67, 1-20) but do not disclose expressly a personal imaging repository. Ogawa et al. disclose a personal imaging repository associated with image data (abstract). Woods et al. and Ogawa et al. are combinable because they are from the same field of printing systems. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to utilize a personal imaging repository. The motivation for doing so would have been to allow the grouping of images to a specific user. Therefore, it would have been obvious to combine Ogawa et al. with Woods et al. to obtain the invention as specified in claims 5 and 12.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

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TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Peter K. Huntsinger whose telephone number is (571)272-7435. The examiner can normally be reached on Monday - Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Moore can be reached on (571)272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

PKH



DOUGLAS Q. TRAN
PRIMARY EXAMINER

